

### General Remarks

By the above amendment, Applicant has rewritten or amended Claims 28-34, 42-47 and 54 to overcome Examiners objections and renumbered original Claims 28-34, 42-47 and 54 as now Claims 55-61, 62-67 and 68 respectively. Applicant has rewritten original dependent Claims 37, 39, 40, 52-53 in independent form including all of the limitations of the base claim and any intervening claims as now Claims 69, 70, 71, 72, and 73 respectively.

Applicant has rewritten rejected original Claims 35, 36, 38, 41, 48, 49, 50, and 51 to define the invention more particularly and distinctly to overcome the technical rejections and define the invention patentably over the prior art, and has renumbered them as 74, 75, 76, 77, 78, 79, 80, and 81 respectively.

### Response to Claim Objections

The last Office Action stated, "1. Claims 28-54 are objected to because of the following informalities: the phrase "ballasted-socket" should be "ballasted socket."". Applicant has changed all references to "ballasted-socket" to "ballasted socket".

The last Office Action stated, "2. The term "long" in claim 34 is a relative term, which renders the claim objectionable. The term "long" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention." The term, "long single-ended lamp" has been replaced with the term, "single-ended lamp having an overall length greater than 6 inches and less than 25 inches".

The last Office Action stated, "3. Claim 42 is objected to because of the following informalities: the phrase "its' cover tabs" should be "that the cover tabs of the slide-on cover". Appropriate correction is required." The appropriate correction has been made.

The last Office Action stated, "4. The term "compact" in claim 50 is a relative term, which renders the claim objectionable. The term "compact" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention." The term "compact fluorescent" has been replaced with the term "single-ended gas-discharge"

**Response to Claim Rejections -35 USC ~ 102**

The last Office Action stated, "6. Claims 35, 36 and 38 rejected under 35 U.S.C. 102(b) as being anticipated by Lau (U.S. Patent 5,471,375)

Regarding claim 35, Lau discloses a fluorescent light ballast lamp mounting socket construction. The lamp socket includes a pair of high-frequency input terminals (Fig. 4), a high frequency ballasting circuit (Fig. 4), a lamp socket for a single-ended lamp (reference number 40), interconnecting wiring between the high frequency input terminals and the high frequency ballasting circuit (Fig. 5), interconnecting wiring between the high-frequency ballasting circuit and the lamp socket for a single-ended lamp (Fig. 5) and an enclosure (reference number 44), the enclosure completely enclosing the high-frequency ballasting circuitry (Fig. 4), the interconnecting wiring between the high-frequency input terminals and the high-frequency ballasting circuit (Fig. 4) and the interconnecting wiring between the high-frequency ballasting circuit and the lamp socket for a single-ended lamp (Fig. 4), and the enclosure not enclosing the single-ended lamp (Fig. 4). (Although the term "high-frequency" is defined in the specification, it is not defined in the claims; therefore, a structure for a regular AC circuit can be used to reject the claim.)"

Applicant has added the following limitation to original Claim 35, now Claim 74, "said high-frequency input terminals being provided with a high-frequency current; said high-frequency current having a frequency greater than 10,000 Hertz," to define patentably over the Lau reference. This added limitation of now Claim 74 produce new and unexpected results and hence are unobvious and patentable over the Lau reference. Applicant respectfully requests reconsideration of this rejection.

The last Office Action stated, "Concerning claim 36, Lau discloses the enclosure (reference number 44) including a mounting base (Fig. 4). (See the screw holes in the enclosure.)"

Applicant has added the following limitation, which Examiner has identified as allowable subject matter, to original Claim 36, now Claim 75, "said ballasted socket assembly also provided with a channel; input terminals being located within said channel;" to define patentably over the Lau reference. The physical features of now Claim 75 produce new and unexpected results and hence are unobvious and patentable over the Lau reference. Applicant respectfully requests reconsideration of this rejection.

The last Office Action stated, "Regarding claim 38, Lau discloses a pair of input terminals (Fig. 4), a ballasting circuit (Fig. 4), a socket with output terminals that is capable of receiving, supporting and making electrical connection to a single-ended lamp (reference number 40), interconnecting wiring between the input terminals and the ballasting circuitry (Fig. 4), interconnecting wiring between the ballasting circuitry and the output terminals of the socket (Fig. 4) and an enclosure (reference number 44), the ballasting circuit being capable of properly igniting and powering a gas discharge lamp when provided with a high-frequency voltage on the pair of input terminals (Fig. 4), the enclosure completely encapsulating the ballasting circuitry (Fig. 4), the interconnecting wiring between the input terminals and the ballasting circuitry (Fig. 4), the interconnecting wiring between the ballasting circuitry and the output terminals of the socket (Fig. 4) and the portion of the output terminals to which the ballasting circuitry connects (Fig. 4) and the enclosure not enclosing a single-ended lamp (Fig. 4). The input to the ballasting circuit being connected to a pair of input terminals and the output of the ballasting circuit being connected to the output terminals within the socket are considered to be inherent in the reference, because these electrical connections need to be made to make the apparatus in the Lau reference work. Please note that an apparatus for any AC circuit may be used to defeat this claim, because the term "high-frequency" is not defined within the claim."

Applicant has added the following limitation, which Examiner has identified as allowable subject matter, to original Claim 38, now Claim 76, "said ballasted socket assembly also provided with a channel; input terminals being located within said channel;" to define patentably over the Lau reference. The physical features of now Claim 76 produce new and unexpected results and hence are unobvious and patentable over the Lau reference. Applicant respectfully requests reconsideration of this rejection.

### Response to Claim Rejections -35 USC ~ 103

The last Office Action stated, "8. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abbot (U.S. Patent 5,751,117) in view of Nilssen (U.S. Patent 6,198,228 B1).

Regarding claim 41, Abbot discloses an interconnecting cable (Fig. 1) and multiple luminaires (Fig. 2) and the interconnecting cable being supplied from a manufacturing facility with no luminaires connected thereto (Fig. 1). Abbot does not disclose the high-frequency power source.

Abbot discloses a high-frequency power source (abstract), the high-frequency power source being connected to and powered from a standard utility power line (abstract) and having a high-frequency power output

(abstract), the interconnecting cable (reference number 206) being connected to the high frequency power output (Fig. 9).

The portion of the claim starting with "the system" and continuing to the end of the claim constitutes functional language that is not given patentable weight. See M.P.E.P. 2113.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the high-frequency power source of Nilssen in the apparatus of Abbott to supply power to the fluorescent lamps."

The Abbot '117 reference discloses a means of mounting and powering fluorescent lamps connected to lampholders each containing one-half of a "four arm bridge type ballast". As shown in fig. 1 and 2 of the Abbot '117 reference, these lampholders are mounted to track (14) of a track lighting system (10). Each fluorescent lamp (16) requiring one lampholder (12) and one-half of the "four arm bridge type ballast" (40 and 42) at each end of the lamp. Abbot states, "The track (14) ... is affixed to a suitable mounting surface by means of screw fasteners ... The ballast modules 12 are then snapped onto the track 14 ..." (Col. 5, lines 6-10).

The instant invention is patentably distinguished over the Abbot reference for an umber of reasons:

- 1) Whereas Abbot discloses the lampholders being snapped into and supported by a track and the track being mounted to a surface, the instant invention does not rely on the interconnecting cable to support the lampholders.
- 2) The Abbot reference requires two lampholders each containing part of the ballasting circuitry, the instant invention requires only one "ballasted socket assembly" per lamp.
- 3) The Abbot reference does not rely on insulation displacement connections, but uses separate harness to interconnect the bridge circuits. Abbot states, "The bridge circuit is completed by a two conductor harness 54 which has two-prong connectors 56 at each end." (Col. 4, lines 24-26).

The Applicant has added the following limitation to original Claim 41, now Claim 77, "said interconnecting cable not being a track of a track lighting system;" to further define patentably over the Abbot reference. The physical features of now Claim 77

produce new and unexpected results and hence are unobvious and patentable over the Lau reference in view of Nilssen. Applicant respectfully requests reconsideration of this rejection.

The last Office Action stated, "9. Claims 48-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lau U.S. Patent 5,471,375) in view of Nilssen.

Regarding claim 48, Lau discloses the steps of passing a high-frequency output cord along a ceiling (Fig. 4, column 4 in lines 47-51), placing a ballasted socket assembly over the high-frequency output cord (Fig. 4), and mounting the ballasted socket assemblies to the ceiling (column 4, lines 47-51). Lau does not disclose putting the lighting assembly under a cabinet or shelf. Please note that Lau may be used to defeat this portion of the claim because the term "high-frequency" is not defined in the claim.

Nilssen discloses putting the lighting assembly under a cabinet or shelf (Fig. 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to put the apparatus of Lau under a cabinet or shelf as disclosed in Nilssen for lighting the surface under a cabinet or shelf."

Applicant has added the following limitation, which Examiner has identified as allowable subject matter, to original Claim 48, now Claim 78, "positioning a channel provided in the ballasted socket assembly directly over the high-frequency output cord," to define patentably over the Lau reference. The physical features of now Claim 78 produce new and unexpected results and hence are unobvious and patentable over the Lau reference in view of Nilssen. Applicant respectfully requests reconsideration of this rejection.

The last Office Action stated, "Concerning claim 49 Lau discloses the step of inserting a gas-discharge lamp into the ballasted socket assembly (Fig. 4)."

Applicant has changed the limitation of original Claim 49 from, "inserting a gas-discharge lamp into the ballasted socket assembly" to "positioning a reflector between the ballasted socket assembly and the bottom of the cabinet or shelf" in now Claim 79, to define patentably over the Lau reference. Applicant respectfully requests reconsideration of this rejection.

The last Office Action stated, "Regarding claim 50, Lau discloses the step of inserting a compact fluorescent lamp into the ballasted socket assembly (Fig. 4)."

Applicant has changed the limitation of original Claim 50, "inserting a compact fluorescent lamp into the ballasted-socket assembly" to "orienting the ballasted socket assembly in one of four possible orientations", in now Claim 80, to define patentably over the Lau reference. Applicant respectfully requests reconsideration of this rejection.

The last Office Action stated, "Concerning claim 51, Lau discloses ballasted socket assembly that includes a socket with an opening suitable for receiving a gas-discharge lamp (Fig. 4), the opening positioned on the ballasted socket assembly such that when the ballasted socket assembly is mounted beneath a cabinet or shelf the opening is facing in a downward position (Fig. 4, column 4 in lines 47-51)."

Applicant has changed the limitation of original Claim 51, from "whereby the ballasted socket assembly includes a socket with an opening suitable for receiving a gas-discharge lamp; the opening positioned on the ballasted socket assembly such that when the ballasted socket assembly is mounted beneath a cabinet or shelf the opening is facing in a downward position." to, "additionally characterized by including the step of piercing the insulation of the high-frequency output cord with an insulation displacement connector." in now Claim 81 to define patentably over the Lau reference. Applicant respectfully requests reconsideration of this rejection.

#### **Applicant's response to Additional Relevant Prior Art**

The last Office Action stated, "15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lau (U.S. Patent 6,083,021) discloses a fluorescent light ballast lamp mounting socket construction."

Applicant has reviewed the Lau prior art reference that the Examiner has provided with the latest Office Action and agrees that Lau (U.S. Patent 6,083,021) discloses a fluorescent light ballast lamp mounting socket construction.

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**Conclusion**

For all of the above reasons, Applicant submits that the specification and claims are now in proper form, and that claims define patentably over the prior art. Therefore, Applicant submits that this application is now in condition for allowance, which action he respectfully solicits.

**Request For Conditional Constructive Assistance**

Applicant has amended the claims of this application so that they are proper, definite, and define novel structure, which is also unobvious. If for any reason this application is not believed to be in full condition for allowance, Applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 706.03(d) and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings. My daytime phone number is 847.658.5617 (Monday through Thursday) and 847.854.0678 (Friday).

Very respectfully,

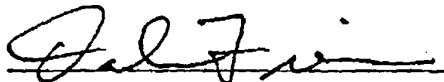


Dale Fiene

-----Applicant Pro Se-----

622 Gaslight Drive  
Algonquin, IL 60102

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Dale Fiene, Applicant

8/22/03

Date